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**ATTORNEYS FOR PLAINTIFF
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN EDWARD LEWTON,

Defendant.

CR 24- 109 -GF-BMM-JTJ

INFORMATION

LACEY ACT TRAFFICKING
Title 16 U.S.C. §§ 3372(a)(2)(A) and
3373(d)(2); Title 18 U.S.C. § 2(a)
(Penalty: One year of imprisonment, a
\$100,000 fine or twice the gross gain or
loss, and one year of supervised release)

CRIMINAL INFORMATION

THE ASSISTANT ATTORNEY GENERAL OF THE ENVIRONMENT AND NATURAL RESOURCES DIVISION OF THE UNITED STATES DEPARTMENT OF JUSTICE AND THE UNITED STATES ATTORNEY FOR THE DISTRICT OF MONTANA CHARGE THAT:

INTRODUCTION

At all times material to this Bill of Information:

1. The defendant, JOHN EDWARD LEWTON, resided in the District of Montana and was a professional hunting outfitter, guide, and taxidermist. Lewton was the owner and operator of Montana Trophy Outfitters in Montana, a business providing professional outfitting and guiding services to Rocky Mountain bighorn sheep hunters in Montana.

2. Person A was a resident of Montana and was the owner and operator of an alternative livestock facility in Montana, also known as a game farm. The business engaged in the purchase, sale, and breeding of mountain sheep, mountain goats, and other ungulates with a primary purpose of marketing and selling live animals and genetic material (e.g., semen) to captive hunting operations, also known as game ranches or shooting preserves.

3. Person A operated the alternative livestock facility from his ranch in Montana. It was located on the Fairfield Bench, a high elevation prairie grassland extending eastward from the Rocky Mountains, and was bordered by state, private, and federal lands. The geographic area includes National Forests and

the Bob Marshall Wilderness Complex. A variety of wildlife species are native to the geographic area, including Rocky Mountain bighorn sheep.

4. Rocky Mountain bighorn sheep (*Ovis canadensis*) is the largest species of wild sheep native to North America.

5. Sheep with large bodies and large horns are more valuable to hunters in captive hunting facilities and in the wild. For example, a bighorn ram lamb produced from a ram known to have especially large horns could be sold for a higher price as a breeder animal or as a “shooter” animal to a shooting preserve.

6. Between October 20, 2019, and at least November 5, 2019, in the District of Montana, and elsewhere, LEWTON guided clients on hunting trips on public lands in Montana. During some of the hunting trips, LEWTON took and retained the testicles of Rocky Mountain bighorn sheep hunted and harvested by his clients.

7. LEWTON sold Rocky Mountain bighorn sheep testicles taken from sheep hunted in the wild in Montana to Person A. Person A extracted semen from the testicles to use and sell the semen to perform laparoscopic artificial insemination and other forms of artificial breeding to create larger and more valuable lines of sheep. These procedures were conducted in Montana and elsewhere.

8. Person A sold and shipped semen straws from sheep testicles

provided by LEWTON to individuals outside of Montana.

9. The Lacey Act, Title 16, United States Code, Section 3371 *et seq.*, makes it unlawful for any person to knowingly import, export, transport, sell, receive, acquire, or purchase in interstate commerce, any wildlife or any part or product thereof, taken, possessed, transported or sold in violation of any State law or regulation. 16 U.S.C. § 3372(a)(2)(A) and § 3373(d).

10. A person may not purposely or knowingly sell, purchase, or exchange all or part of any game fish, bird, game animal, or fur-bearing animal in Montana except as provided by law. Mont. Code Ann. § 87-6-206.

11. A person may not capture, take, or otherwise acquire any game animal in Montana for use on an alternative livestock ranch. Mont. Code Ann. § 87-4-418.

COUNT 1

12. Paragraphs 1 through 12 of this Information are incorporated herein by reference as if set forth in their entirety.


13. On or about October 20, 2019, in the District of Montana and elsewhere, the defendant, **JOHN EDWARD LEWTON**, did himself and through the actions of others, knowingly engage in conduct that involved the sale and purchase of, the offer of sale and purchase of, and the intent to sell and purchase wildlife, specifically bighorn sheep and parts thereof that had been hunted and harvested in the wild in Montana, with a market value in excess of


\$350, and did knowingly aid and abet the sale and purchase of said wildlife in interstate commerce, and in the exercise of due care, the defendant should have known that the wildlife was taken, possessed, and transported in violation of and in a manner unlawful under the laws and regulations of Montana, specifically Mont. Code Ann. §§ 87-4-418 and 87-6-206.

All in violation of Title 16, United States Code, Sections 3372(a)(2)(A) and 3373(d)(2), and Title 18, United States Code, Section 2(a).

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